

REMARKS

The claims have been amended by rewriting claims 3, 7, 10, 27-28, 35, 37, 39, and 40; canceling claims 1-2, 4-6, 8-9, 11-26, 32-34, and 38; and adding new claims 41-43. Claims 29-31 and 36 remain in the application unchanged. Thus, claims 3, 7, 10, 27-31, 35-38, and 40-43 are now in the application.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 112, second paragraph:

Claims 5, 8, and 10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5 and 8 have been cancelled, rendering this rejection moot. Claim 10 has been rewritten to exclude the language to which objection was made. Claim 10 has been rewritten to include the claim upon which it depended, claim 1. Applicants believe claim 10 as rewritten is patentable over the art filed or cited in this application.

Claim Rejections - 35 U.S.C. § 102(b):

Claims 1-4, 6, 7, 9, 11-27, 32-34, and 38-40 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hollenberg (US Patent number 6,091,956). Claims 1-2, 4, 6, 9, 11-20, 22-25, 32-34, and 38 are canceled by this amendment, rendering their rejection moot.

Claim 3 Applicants respectfully traverse examiner's rejection of claim 3. "Categories" are described in applicants' specification at least on page 8, line 29 to page 9, line 3. Applicants did not find such items described in the portions of Hollenberg cited by the Examiner. If Examiner reasserts the rejection, Applicants request a more specific reference.

Claim 7 has been amended and includes the phrase "a high power mode of operation that is activated by receipt of a control signal by the receiver that commands the device to transmit, using the transmitter, a high power signal that identifies the nonautomotive roaming object". Applicants do not find in the cited sections of Hollenberg a description of a transmitter that transmits both at a high power and (standard) power signal level and identifies the nonautomotive roaming object, in response to a high power command.

Claim 27 is amended, with support for the amendments at page 12, lines 6-24 of Applicants' specification. Applicants believe claim 27 is patentable as amended.

Claim 39 is amended to be dependent upon amended claim 7 and inasmuch as Applicants believe that claim 7 is patentable, Applicants believe that claim 39 is patentable.

Claim 40 is amended to be dependent upon amended claim 7 and inasmuch as Applicants believe that claim 7 is patentable, Applicants believe that claim 39 is patentable.

New Claims

Claim 41 is supported at page 10, line 19 to page 11, line 6. Applicants believe that claim 41 is patentable over the art cited or listed in this prosecution.

Claim 42 is dependent upon amended claim 7 and inasmuch as Applicants believe that claim 7 is patentable, Applicants believe that claim 42 is patentable.

Claim 43 is dependent upon amended claim 10 and inasmuch as Applicants believe that claim 10 is patentable, Applicants believe that claim 43 is patentable. Furthermore, Applicants believe that claim 43 is patentable for the same reasons as claim 41.

Allowable Subject Matter:

Claims 28-31 and 35-37 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form, including all other limitations of the base claim and any intervening claims.

Claims 28, 35, and 37 have been rewritten to include the claim upon which each of them depended. Claims 29-31 and 36 each depend upon one of claims 28 and 35 as rewritten. Applicants therefore believe these claims are allowable according to the examiner's most recent Office Action.

Applicant notes that any amendments or claim cancellations made herein and not substantively discussed above are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such amendments or cancellations not substantively discussed. Furthermore, any remarks made herein with respect to a given claim or amendment are intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein, in a continuation application.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117.

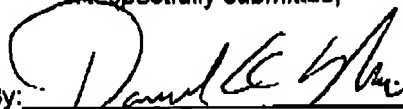
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